



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Boyce, et al.

Examiner: Pellegrino, Brian E.

Serial No.: 09/610,026

Group: Art Unit 3738

Filed: July 3, 2000

Docket: 285-118

For: OSTEOGENIC IMPLANTS
DERIVED FROM BONE

Dated: March 5, 2002

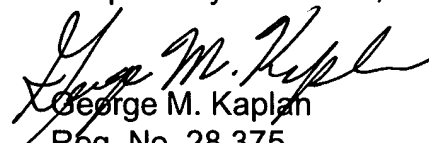
Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATION UNDER 37 C.F.R. §1.97(e)(1)

Sir:

I hereby certify that each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart International application not more than three months prior to the filing of this statement.

Respectfully submitted,


George M. Kaplan
Reg. No. 28,375
Attorney for Applicant(s)

DILWORTH & BARRESE
333 Earle Ovington Blvd.
Uniondale, NY 11553
(516) 228-8484
(516) 228-8516

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231 on March 5, 2002

Dated: March 5, 2002


George M. Kaplan



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2/2/02
Brian E. Pellegrino

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. Copies of the listed items are enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231 on March 5, 2002.

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George M. Kaplan

The listed items were all cited in a Search Report (copy enclosed) mailed January 3, 2002 by the European Patent Office in a counterpart PCT application. U.S. Pat. No. 5,507,813 to Dowd et al. is already of record in the present application, so Dowd et al. is not listed upon accompanying Form PTO-1449. EP 483944 corresponds to U.S. Pat. Nos. 5,464,439 and 5,556,430 already of record. WO00/50102 was published after the filing date of the present application.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in

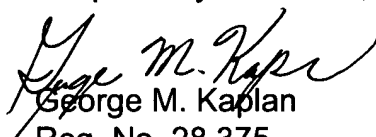
37 C.F.R. § 1.56(b).

- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in
37 C.F.R. § 1.491 in an international application.
- ☐ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a complete first Office Action on the merits in connection with this case.
- ☒ Enclosed herewith is a certificate under 37 C.F.R. § 1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. § 1.97(d)(ii).
 - ☐ Enclosed by check is the petition fee of \$130.00. 37 C.F.R. § 1.17(i)(1))
 - ☐ Please charge the **\$130.00** petition fee to Deposit Account No. **04-1121**.

- ☐ Enclosed by check is the **\$180.00** fee required by 37 C.F.R. § 1.17(p).
- ☐ Please charge the **\$180.00** fee required by 37 C.F.R. § 1.17(p) to Deposit Account No. **04-1121**.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account **04-1121**. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. **04-1121** therefor. **TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



George M. Kaplan

Reg. No. 28,375

Attorney for Applicant(s)

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